

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA and STATE OF
NEW YORK *ex rel.* ANDREA DAVIS,

Plaintiffs,

v.

POLARIS HEALTHCARE SERVICES, POLARIS
HEALTHCARE IPA, NEIL ZELMAN, and BASSIE
FREIDMAN,

Defendants.

FILED UNDER SEAL

23 Civ. 4716 (LJL)

ORDER

The United States of America and co-plaintiff the State of New York having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the analogous state False Claims Act, with respect to the claims raised in the complaint filed by the relator;

IT IS ORDERED THAT:

1. The complaint shall be unsealed thirty days after entry of this Order and, in the event that the relator has not moved to dismiss the action, service upon the defendants by the relator is authorized as of that date. If the relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period, the relator may seek to modify this Order with the consent of the United States and the State of New York or by motion on notice to the United States and the State of New York.

2. All documents filed in this action prior to the entry of this Order shall remain under seal and not be made public, except for, thirty days after entry of this Order, the relator's complaint, this Order, the United States' Notice of Election to Decline Intervention and the State of New

York's Notice of Election to Decline Intervention (collectively, the "Notices"). The relator will serve upon the defendants this Order and the Notices only after service of the complaint.

3. Upon the unsealing of the complaint, the seal shall be lifted as to all other matters occurring in this action after the date of this Order.

4. The parties shall serve all pleadings, motions, and notices of appeal filed in this matter, including supporting memoranda, upon the United States and the State of New York. The United States and the State of New York may order any transcripts of depositions. The United States and the State of New York may seek to intervene with respect to the allegations in the relator's complaint, for good cause, at any time, or may seek dismissal of this action after intervention.

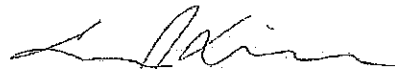
5. All orders of this Court in this matter shall be sent to the United States and the State of New York by the relator.

6. Should the relator propose that the complaint or any of its allegations be dismissed, settled, or otherwise discontinued, the relator must solicit the written consent of the United States and the State of New York before applying for Court approval.

Dated: New York, New York

August 16, 2024

SO ORDERED:



HONORABLE LEWIS J. LIMAN
United States District Judge